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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,734	10/25/2000	Daniel H Craft	07844-461001	4542

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REDWOOD CITY, CA 94063

EXAMINER
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NGUYEN, LE V

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 08/11/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/697,734	CRAFT, DANIEL H	
	Examiner	Art Unit	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 5/19/03.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                             | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other:  |

**DETAILED ACTION**

1. This communication is responsive to Amendment A, filed 5/19/03.
2. Claims 1-9 are pending in this application. Claims 1 and 5 are independent claims and have been amended. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 112***

4. Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 8 recites the limitation "the highlighting" in line 2 of page 5 of Amendment A.

Claim 9 recites the limitation "the highlighting" in line 14 and line 15 of the original claim.

There are insufficient antecedent basis for the limitations in these claims.

***Claim Rejections - 35 USC § 103***

5. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winsky et al. ("Winsky", US 5,774,109) in view of Blumenthal (US 6,026,409).

As per claim 1, Winsky teaches a computer-implemented method of displaying a document on a display device, comprising: receiving a user input (col. 4, lines 8-9 and lines 19-

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21; col. 5, lines 7-16; *input such as markers*), selecting a location in a document displayed in a display pane (col. 4, lines 8-9 and lines 19-21; col. 5, lines 7-16; *users may mark any part of the selection including a stopping point delineating a read and unread portion*) and requesting a show-me operation that differentiates between read and unread portions of the document and, in response to the input (col. 11, line 38; *the operation may be selected or set*), performing the show-me operation by: displaying a visual reference mark indicating the location in the pane, the visual reference mark delineating the read portion of the document from the unread portion of the document (col. 4, lines 33-38; *a user selects a location in a document, a stopping point delineating a read and unread portion, and "the gauge" keeps track and displays read and unread portions of the document wherein the gauge has a visual reference mark indicating the location in the pane that delineates the read portion of the document from the unread portion of the document*) then smoothly scrolling the document and the reference mark in the pane until the selected location is at a target location in the pane (col. 4, lines 39-44; col. 5, lines 51-53).

Winsky does not explicitly disclose removing the visual reference mark. Blumenthal teaches a computer-implemented method of displaying a document on a display device, comprising receiving a user input and, in response to the input, displaying a visual reference mark indicating the location in the pane and then removing the visual reference mark (col. 13, lines 17-62).

Therefore, it would have been obvious to an artisan at the time of the invention to include Blumenthal's teaching of removing a visual reference mark after a selected location is at a target location in a document display to Winsky's teaching of visual reference marks and scrolling until the selected location is at a target location in a document display in order to allow users to input

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a new selection without cluttering the display area with visual reference marks from the previous selection.

As per claim 2, Blumenthal teaches a computer-implemented method of displaying a document on a display device wherein the user input selects a location corresponding to a line of text (col. 19, lines 39-41).

As per claim 3, Blumenthal teaches a computer-implemented method of displaying a document on a display device, wherein the user input selects a location corresponding to a graphic object (col. 21, lines 66-67; col. 22, lines 21-24).

As per claim 4, Blumenthal teaches a computer-implemented method of displaying a document on a display device wherein the user input selects a location corresponding to a video object (col. 22, lines 6-15).

Claim 5 is similar in scope to claim 1 and is therefore rejected under similar rationale.

As per claim 6, the modified teachings of Winsky and Blumenthal teaches a computer-implemented method of displaying a document on a display device comprising instructions to receive a user input pointing to a text location of text in the document (Blumenthal; col. 19, lines 39-41), draw the reference mark as a reference line perpendicular to a scrolling direction and intersecting the text location (Blumenthal; fig. 2; col. 10, lines 44-46) and smoothly scroll the document and the reference line to the target location (Winsky; col. 5, lines 51-53), the target location being close to a start edge of the pane (Blumenthal, col. 10, lines 49-50; col. 19, lines 59-65).

As per claim 7, Winsky teaches a computer-implemented method of displaying a document on a display device comprising instructions wherein the target location is within two text lines of the start edge of the pane (fig. 7A).

As per claim 8, Blumenthal teaches a computer-implemented method of displaying a document on a display device comprising instructions to highlight a line of text at the location at a time the location is selected, highlight being the reference mark (col. 4, lines 36-37).

As per claim 9, Blumenthal teaches a computer-implemented method of displaying a document on a display device comprising instructions to highlight a line of text at the location at a time the location is selected, the highlight being supplemental to the reference mark (col. 15, lines 21-25) and remove the highlight no later than when the reference mark is removed (col. 13, lines 17-62).

### ***Response to Arguments***

6. Applicants' arguments in Amendment A have been fully considered but they are not persuasive.

Applicants argued the following:

- (a) Winsky fails to show user request for a show-me operation.
- (b) Winsky does not have a show-me operation that displays a visual reference mark that delineates the read portion from the unread portion of the document.
- (c) Winsky fails to describe a scrolling mechanism as having the ability to smoothly scroll the document and the reference mark.
- (d) Winsky and Blumenthal are non-analogous art.

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The Examiner disagrees for the following reasons:

As per (a), Winsky teaches a user request for a show-me operation wherein the operation may be selected (col. 11, line 38).

As per (b) Winsky teaches a show-me operation that displays a visual reference mark that delineates the read portion from the unread portion of the document (col. 4, lines 8-9, 19-21 and lines 33-38; col. 5, lines 7-16; *visual reference marks such as markers in the document and the visual reference mark in the gauge*). If by visual reference mark Applicant means a visual reference mark that is a bookmark as is pointed out by Applicant on page 6 of the Remarks section, it is suggested that bookmark should be incorporated into the claim language.

As per (c), Applicant accedes Winsky's teaching of a scrolling mechanism for scrolling text on display. Winsky further teaches a show-me operation that smoothly scrolls the text in the document and the reference mark in the pane (col. 4, lines 39-44; col. 5, lines 51-53; *users may select a prior screen then select to scroll the document and the reference mark in the pane to return to the selected location that is at a target location in the pane as well as automatically and temporarily halt in response to various markers*).

As per (d), in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Furthermore, the teachings extracted from Blumenthal is for the removing of a visual reference mark after a selected location is at a target location in a document display. Therefore, since both Blumenthal and Winsky teaches a computer-implemented method of displaying a document on a display device,

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comprising receiving a user input and, in response to the input, displaying a visual reference mark indicating the location in the pane (Blumenthal: col. 13, lines 17-62; Winsky: col. 4, lines 8-9, 19-21 and lines 33-38; col. 5, lines 51-56), both are very analogous art.

### *Conclusion*

7. Applicant's amendment necessitated the new grounds) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP§ 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### *Inquires*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê Nguyen whose telephone number is **(703) 305-7601**. The examiner can normally be reached on Monday - Friday from 8:00 am to 5:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.



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The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 746-7239 [Official Communication]

(703) 746-7240 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lê Nguyen  
Patent Examiner  
July 29, 2003

*Kristine Kincaid*  
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